

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

| | | | |
|------------------------|---|----------|------------|
| BMO Bank N.A. |) | | |
| Plaintiff |) | Case No. | 25-cv-4166 |
| v. |) | | |
| 9227-1741 Quebec Inc.; |) | | |
| Trivel Inc. |) | | |
| Defendants |) | | |

ANSWER TO DEFENDANTS' AFFIRMATIVE DEFENSES

NOW COMES Plaintiff BMO Bank N.A. by and through its attorneys Egan & Alaily LLC, and for its Answer to the Defendants' Affirmative Defenses states as follows:

I. ANSWER

1. Plaintiff materially breached the contract, excusing any performance by Defendants thereunder.

ANSWER: Plaintiff denies the allegations in Par. 1

2. The Complaint fails to state a claim on which relief may be granted as to Trivel.

ANSWER: Plaintiff denies the allegations in Par. 2. Plaintiff's answer herein is solely for preserving its rights and is not to be construed as seeking any affirmative relief against Trivel Inc. due to Trivel Inc.'s recent bankruptcy filing in Quebec, Canada.

3. The Complaint is barred by the discharge or other res judicata resolution of the claims of Plaintiff against Defendants in Canadian bankruptcy/insolvency proceedings.

ANSWER: Plaintiff admits that Trivel Inc. has filed bankruptcy in Quebec, Canada. Plaintiff denies the allegations in Par. 2 until such time as a bankruptcy court order is entered that adjudicates the rights of Plaintiff and Trivel, Inc. related to Plaintiff's claims in this lawsuit. Plaintiff's answer herein is solely for preserving its rights and is not to be construed as seeking any affirmative relief against Trivel Inc. due to the aforementioned bankruptcy. Plaintiff has no knowledge that 9227-1741 Quebec Inc. has filed bankruptcy and therefore seeks to proceed in this case against said Defendant.

BMO Bank N.A.

By:

/s/ Adham Alaily
Attorney at Law

Egan & Alaily LLC

20 S. Clark Street, Suite 2120
Chicago, Illinois 60603
(312) 253-8640
clerk@EA-atty.com

CERTIFICATE OF SERVICE

I, Adham Alaily, an attorney, hereby certify that on July 30, 2025, I caused a copy of this Answer to Defendants' Affirmative Defenses to be electronically filed with the Clerk of Court and served on the following parties in the method identified below.

To: Daniel M. Press, HUNG & PRESS, P.C., 6718 Whittier Avenue, # 200, McLean, VA 22101
(via CM/ECF: dpress@chung-press.com)

By:

/s/ Adham Alaily
Attorney at Law